

**From Penitentiary Commission.**

Huntsville, Texas,

11:50 a. m., May 13, 1915.

J. A. Harley, Chairman Penitentiary  
Committee, State Senate, Austin,  
Texas:

Statement of indebtedness prison  
system affidavit attached will be  
mailed this evening and should reach  
you tomorrow p. m.

JOHN E. BICKETT,  
Finance Commissioner.

12:37 p. m.

**Adjournment.**

On motion of Senator Bailey of  
DeWitt, the Senate, at 3:45 o'clock,  
p. m., adjourned until 10 o'clock to-  
morrow morning.

**APPENDIX.****Engrossing Committee Report.**

Committee Room,

Austin, Texas, May 13, 1915.

Hon. W. P. Hobby, President of the  
Senate.

Sir: Your Committee on En-  
grossed Bills have examined, and  
carefully compared Senate Bill No.  
5, being an Act making appropri-  
ations to pay the salaries of officers  
and employes of certain eleemosy-  
nary institutions of the State and  
other expenses of maintaining them,  
and declaring an emergency, and  
find same correctly engrossed.

WESTBROOK, Chairman.

**THIRTEENTH DAY.**

Senate Chamber,

Austin, Texas,

Friday, May 14, 1915.

The Senate met at 10 o'clock a. m.,  
pursuant to adjournment, and was  
called to order by President Pro Tem.  
Wiley.

The roll was called, a quorum  
being present, the following Senators  
answered to their names:

Astin. Bailey of Harris.  
Bailey of DeWitt. Bee.

Brelsford.  
Clark.  
Conner.  
Cowell.  
Darwin.  
Gibson.  
Hall.  
Harley.  
Harris.  
Henderson.  
Johnson.  
Lattimore.

McCollum.  
McGregor.  
McNealus.  
Nugent.  
Page.  
Parr.  
Robbins.  
Smith.  
Suiter.  
Westbrook.  
Wiley.

Absent—Excused.

Hudspeth.  
King.

Morrow.  
Townsend.

Prayer by the Chaplain.

Pending the reading of the Journal  
of yesterday, the same was dispensed  
with on motion of Senator Harley.

See Appendix for Petition and Me-  
morials and Standing Committee re-  
port.

**Special Committee Report.**

Senator Clark offered the follow-  
ing Special Committee report:

Austin, Texas, May 13, 1915.

To the Hon. W. P. Hobby, Lieuten-  
ant Governor of Texas:

Sir: We, your committee ap-  
pointed by you to investigate the al-  
leged diversion of the bubonic plague  
appropriation by the State Health  
Officer of Texas, Dr. W. B. Collins,  
have found the charges not true, and  
hereby fully and completely exoner-  
ate the said Dr. W. B. Collins, the  
State Health Officer, believing under  
the provisions of Senate Bill No. 204,  
passed by the regular session of this  
Legislature, that the Health Depart-  
ment had an absolute right to use  
these funds as it has done. We do  
highly commend said Dr. W. B. Col-  
lins in the economical manner that  
he has wisely handled the bubonic  
plague appropriation of \$25,000.00,  
he, Dr. Collins, having spent from  
the bubonic plague fund to date  
\$420.95, and that he has saved for  
the bubonic plague fund \$1,175.00  
per month by virtue of using the va-  
rious quarantine officers of the State  
who draw salaries from the State  
as quarantine officers, and who do  
not receive one cent of pay out of  
this bubonic plague appropriation.

Respectfully,

CLARK, Chairman;  
SMITH.

Senator Westbrook presented the following minority report:

Committee Room,  
Austin, Texas, May 14, 1915.

Hon. W. P. Hobby, President of the Senate:

Sir: We, a minority of your committee appointed to investigate the State Health Department relative to the expenditure of the plague appropriation, beg leave to submit the following:

We find that the State Health Officer, Dr. W. B. Collins, has placed four additional employes on the pay roll of this department, who are being remunerated for their services out of the plague appropriation, or what is generally known as the "rat" appropriation.

We further find that an Assistant State Health Officer is being paid \$200.00 per month out of this appropriation, notwithstanding the fact that the Thirty-third Legislature made no appropriation for an Assistant State Health Officer, the position being, in law, merely an honorary one.

In our humble judgment, this is a diversion of the plague appropriation, because, as stated above, the Thirty-third Legislature had refused to make any appropriation to pay an Assistant State Health Officer, and we do not believe that it was the intention of the Thirty-fourth Legislature that any part of the \$25,000.00 appropriated for the purpose of preventing bubonic plague should be used to remunerate an Assistant State Health Officer, but that, in fact, a special appropriation would have had to have been made for this purpose.

We recognize the fact that under the bill making this plague appropriation, as passed by the regular session of the Thirty-fourth Legislature, the State Health Officer would have the right to employ such assistants as he deemed necessary to enforce the provisions thereof, but we do not believe that he would have authority, under the law, to pay an Assistant State Health Officer for services out of this appropriation, when, in fact, under the law no appropriation exists by authority of law with which to pay an Assistant State Health Officer.

We do not believe that Dr. W. B. Collins, State Health Officer, in using part of this appropriation for the

above purposes, is guilty of any intentional wrong. In fact, we do believe Dr. Collins to be an honest, upright gentleman; however, we believe that he has been guilty of an indiscretion which, if permitted to go unchecked, will open up the flood-gates for every head of each department of State to wilfully divert in the future any appropriations made for specific purposes from their original purpose.

If the Senate should see fit to permit this condition relative to this department to exist it would establish a bad precedent, and would, doubtless, result in great injury to the citizenship of this State. We want to repeat, however, that we absolve Dr. Collins from any wilful or intentional wrong, and that we believe it is an error of judgment and not of the heart. However, we believe that it is our imperative duty, in justice to this body and the people of this great commonwealth, that we recommend that the Senate signify its disapproval of any such payments to the Assistant State Health Officer or any other person, the effect of which would place them upon the regular pay roll permanently.

Respectfully submitted,  
WESTBROOK.

Senator Clark moved to adopt the majority committee report, and

Senator Westbrook moved, as a substitute, that the minority committee report be adopted.

After discussion, Senator Bailey of DeWitt moved the previous question on the pending question, which motion being duly seconded, was so ordered.

Action recurred on the substitute motion, and the same was lost by the following vote:

Yeas—5.

Gibson.	Suiter.
Johnson.	Westbrook.
Page.	

Nays—20.

Astin.	Harris.
Bailey of DeWitt.	Henderson.
Bailey of Harris.	Lattimore.
Bee.	McCollum.
Brelsford.	McGregor.
Clark.	McNealus.
Conner.	Nugent.
Darwin.	Parr.
Hall.	Smith.
Harley.	Wiley.

**Present—Not Voting.**

Cowell.

Robbins.

**Absent—Excused.**

Hudspeth.

Morrow.

King.

Townsend.

The majority committee report was read, and adopted.

**Reasons for Voting.**

I desire to be marked present and not voting for the reason that I am not acquainted with the question under consideration at this time sufficiently enough to reach an intelligent conclusion.

ROBBINS.

**Simple Resolution No. 21.**

By Senator Bailey of DeWitt:

Resolved, That a committee of three (3) be appointed by the President of the Senate to ascertain the reason for the delay in the printing of the several bills reported favorably by the various committees of the Senate and to suggest and recommend ways and means for the prompt printing and delivery of such bills.

Senator Bailey moved to adopt the resolution.

Senator Brelsford moved that the resolution be referred to the Contingent Expense Committee with authority to arrange for the printing of any emergency bills that the Senate may desire. The motion was adopted.

**Recess.**

Senator Clark, at 11:25 o'clock a. m., moved that the Senate adjourn until 10 o'clock Monday morning.

Senator Brelsford moved, as a substitute, that the Senate recess until 2:30 o'clock today.

Action recurred on the longest time first and the motion to adjourn until 10 o'clock Monday morning was lost by the following vote:

**Yeas—3.**

Astin.

McNealus.

Clark.

**Nays—20.**

Bailey of DeWitt. Bee.

Bailey of Harris. Brelsford.

Cowell.

Darwin.

Harley.

Harris.

Henderson.

Johnson.

Lattimore.

McCollum.

Nugent.

Page.

Parr.

Robbins.

Smith.

Suiter.

Westbrook.

Wiley.

**Present—Not Voting.**

Conner.

**Absent.**

Gibson.

McGregor.

Hall.

**Absent—Excused.**

Hudspeth.

Morrow.

King.

Townsend.

Following the announcement of the above vote, a motion to adjourn until tomorrow was made, but the Chair held that action would recur on the motion to recess.

The motion to recess was then adopted by the following vote:

**Yeas—16.**

Bailey of Harris.

Johnson.

Bee.

Nugent.

Brelsford.

Page.

Cowell.

Parr.

Darwin.

Smith.

Harley.

Suiter.

Harris.

Westbrook.

Henderson.

Wiley.

**Nays—6.**

Astin.

Lattimore.

Clark.

McNealus.

Conner.

Robbins.

**Absent.**

Bailey of DeWitt.

McCollum.

Gibson.

McGregor.

Hall.

**Absent—Excused.**

Hudspeth.

Morrow.

King.

Townsend.

**After Recess.****(Afternoon Session.)**

The Senate was called to order by President Pro Tem. Wiley.

**Invitation to Attend Entertainment.**

Senator McGregor presented the following:

Austin, May 14, 1915.

To the Honorable Members of the Senate and House:

The citizens of Austin hereby extend you a most cordial invitation to attend a barbecue to be given at the Austin dam at 5:30 next Tuesday afternoon, 18th inst. Following the barbecue will be an old-time dance at the dam with music you heard when you were boys. This is your barbecue and dance and we shall expect every Senator and Representative to be present. In event any of the Senators and Representatives are absent a call of the Senate and House will be ordered.

Every man, woman and child in Austin entertains the highest respect for the Legislative Department and this barbecue and dance will be only a slight token of their esteem. The same invitation is extended to the members of your families and the officers and employes of the Senate and House are likewise invited to the barbecue and dance.

Badges will be furnished to the Senators and Representatives and street cars will be in waiting for them at 5:00 o'clock Tuesday afternoon at the south entrance to the capitol grounds.

We beg of you to accept this invitation and will endeavor to make the occasion pleasant for one and all.

Respectfully submitted,  
CITIZENS' COMMITTEE.  
By J. L. PEELER.

The above was read and was, on motion of Senator McNealus, accepted.

**Adjournment.**

Senator Johnson moved that the Senate adjourn until 10 o'clock Monday morning.

Senator Darwin moved that the Senate adjourn until 10 o'clock tomorrow morning.

Action recurred on the longest time first, and the motion was adopted by the following vote:

Yeas—13.

Astin.	Johnson.
Conner.	Lattimore.
Harley.	McGregor.
Hendeson.	Nugent.

Page.	Westbrook.
Smith.	Wiley.
Suiter.	

Nays—8.

Bailey of DeWitt.	Darwin.
Bee.	Hall.
Brelsford.	Harris.
Cowell.	Parr.

Present—Not Voting.

McCollum.	Robbins.
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Absent.

Bailey of Harris.	Gibson.
Clark.	McNealus.

Absent—Excused.

Hudspeth.	Morrow.
King.	Townsend.

**APPENDIX.****Petitions and Memorials.**

A petition addressed to the Lieutenant Governor and signed by J. A. Kemp, president of Texas Conference of Business Men and Farmers, was presented, asking for retention of the State warehouse law.

Senator Bee presented a communication from San Antonio, requesting that the State offer a bounty for the killing of rattlesnakes.

**Committee Report.**

Committee Room,

Austin, Texas, May 14, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 8, A bill to be entitled "An Act for the purpose of promoting and improving the development of the country schools of the State by the appropriation of \$500,000.00 each year, or such part thereof, as may be necessary for the next two fiscal years ending August 31st, 1916, and 1917, respectively, by allowing the State Board of Education to aid any one school in any sum not exceeding \$1,000.00 in any one year; and providing that schools receiving such aid be located and constructed in a certain way; and having certain and necessary equipment; and providing for the employment of competent teachers; and said Act further providing that no school having over 200 scholastics shall receive

such aid; and providing that school receiving such aid shall have had certain percentage of attendance with exceptions; and provided said schools shall levy a local school tax of not less than fifty cents on the one hundred dollars valuation; and providing course of study for such country schools, and giving the State Board of Education power to establish rules and regulations for the organization of such country schools and otherwise carrying out the intention of this Act; and defining the powers of the State Board of Education; and providing for assistants to the State Superintendent, to be known as "Rural School Supervisors"; and providing for reports to be made to the State Board of Education; and providing for the manner of payment and disbursement of all money granted under the provisions of this Act; and providing said schools can accept the benefits of this Act without waiving the benefits and privileges of other laws; and providing certain funds for the payment of rural school supervisors and their traveling expenses; and creating an emergency,"

Have had the same under consideration, and I am requested to report the bill back to the Senate with the recommendation that it do pass.

BEE, Chairman.

#### Engrossing Committee Report.

Committee Room,  
Austin, Tex., May 14, 1915.

Hon. W. P. Hobby, President of the Senate:

Sir: Your Committee on Engrossed Bills have examined and carefully compared Senate Bill No. 13, being an Act establishing three State Normal Colleges, describing territory within which each Normal shall be located, and find same correctly engrossed.

WESTBROOK, Chairman.

#### Committee Report.

Committee Room,  
Austin, Texas, May 14, 1915.

Hon. W. P. Hobby, President of the Senate:

Sir: We, your Committee on Public Building and Grounds, to whom was referred

H. B. No. 11, A bill to be entitled "An Act to provide for the purchase of certain lands and improvements thereon in Washington County, Texas, the same being lands upon which there has been erected a monument commemorating the fact that at said point was located the first capitol of Texas, etc., making an appropriation therefor, and declaring an emergency,"

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

PAGE, Chairman.

#### FOURTEENTH DAY.

Senate Chamber,  
Austin, Texas,  
Monday, May 17, 1915.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem. Wiley.

The roll was called, a quorum being present, the following Senators answered to their names:

Astin.	King.
Bailey of DeWitt.	Lattimore.
Bee.	McCollum.
Brelsford.	McNealus.
Clark.	Morrow.
Conner.	Nugent.
Cowell.	Page.
Darwin.	Parr.
Gibson.	Smith.
Harley.	Suiter.
Harris.	Townsend.
Henderson.	Westbrook.
Hudspeth.	Wiley.
Johnson.	

Absent.

Bailey of Harris.	McGregor.
Hall.	Robbins.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Nugent.

See Appendix for Standing Committee Reports.

#### Petitions and Memorials.

Under the head of "Petitions and Memorials" and pending the reading